

(viii) Any employee organization representing affected employees of the above listed agencies.

Each agency shall appoint as its representative an employee who has knowledge of on-site housing conditions.

(2) It shall be the responsibility of the committee to:

(a) Establish procedures for

(i) conducting committee business on a scheduled basis,

(ii) reviewing problems concerning rent, utilities, and housing maintenance, and

(iii) facilitating communications between affected agencies and employees; and

(b) Recommend to the board for approval guidelines for determining rental rates, utility rates, and other incidences of agency-supplied housing.

(3) Any agency supplying housing shall determine the rental and utility rates to charge employees according to the guidelines and the findings approved by the board.

(4) Within thirty days of the determination of such charges as rental or utility rates, the affected employee may request in writing a hearing before the committee to challenge the determination. If the challenge cannot be satisfactorily resolved by the committee, then either the affected agency or the employee may appeal to the board for a decision which shall be final and binding upon all parties.

(5) All public meetings of the committee shall be held in compliance with the Open Public Meetings Act. [Statutory Authority: RCW 41.06.150(17). 78-07-008 (Order 121), § 356-46-130, filed 6/12/78; Order 106, § 356-46-130, filed 7/25/77; Order 103, § 356-46-130, filed 6/23/77; Order 100, § 356-46-130, filed 3/30/77.]

Title 360 WAC PHARMACY, BOARD OF

Chapter

360-11	Professional pharmaceutical education.
360-12	Pharmacists.
360-16	Pharmacies.
360-23	Prescription drug price advertising.
360-32	Sales requiring prescriptions.
360-36	Regulations implementing the Uniform Controlled Substances Act.
360-49	Drug product substitution.
360-52	Pharmacy assistant.
360-54	Nuclear pharmacies and pharmacists.

Chapter 360-11 WAC PROFESSIONAL PHARMACEUTICAL EDUCATION

WAC

360-11-010	Continuing education.
------------	-----------------------

WAC 360-11-010 Continuing education. (1) Commencing July 1, 1975, no renewal certificate of registration shall be issued by the board of pharmacy until the applicant submits satisfactory proof to the board that during the calendar year preceding his or her application for renewal he or she has participated in courses of continuing professional pharmaceutical education of the types and number of continuing education credits specified by the board. Such continuing education is hereby declared to be a mandatory requirement for license renewal, except that pharmacists applying for the first annual renewal of their certificate of registration shall be exempt from the provisions of this regulation.

(2) A pharmacist who desires to reinstate his or her license after having been unlicensed for over one year shall, as a condition to reinstatement of his or her license, complete such continuing education credits as may be specified by the board in each individual case. [Statutory Authority: RCW 69.50.201. 79-04-048 (Order 147, Resolution 3-79), § 360-11-010, filed 3/27/79; Order 116, § 360-11-010, filed 11/9/73.]

Chapter 360-12 WAC PHARMACISTS

WAC

360-12-015	Examinations.
360-12-050	Applicants—Reciprocity applicants.
360-12-065	Foreign-trained applicants.
360-12-110	Licensed pharmacists—Change of home address.
360-12-120	Licensed pharmacists—Employed as responsible managers—Duty to notify board.
360-12-130	Registered pharmacists—Reinstatement.

WAC 360-12-015 Examinations. (1) The examination for licensure as a pharmacist shall be known as the full board examination and shall consist of both theoretical and practical sections in such form as may be determined by the board.

(2) The score required to pass the overall examination shall be 75 percent. In addition, the scores achieved in the jurisprudence and written practice of pharmacy sections of the exam shall be no lower than 75 percent and the scores achieved on the other sections of the exam shall be no lower than 60 percent.

(3) An examinee failing any portion of the examination other than the jurisprudence section shall retake the regularly scheduled full board examination.

(4) An examinee failing the jurisprudence portion of the full board examination shall be allowed one retake of the jurisprudence portion at a time and place to be specified by the board.

(5) An examinee failing the retake of the jurisprudence examination shall be required to retake the full board examination. [Statutory Authority: RCW 69.50-.201. 79-04-048 (Order 147, Resolution 3-79), § 360-12-015, filed 3/27/79.]

WAC 360-12-050 Applicants—Reciprocity applicants. (1) Applicants for license by reciprocity whose

applications have been approved for the purpose of taking the jurisprudence examination may appear before the board at the time designated for examination.

(2) An applicant for reciprocity licensing shall be required to take and pass the jurisprudence examination given by the board prior to being issued his or her license. The jurisprudence examination shall be offered at least once in every two months.

(3) An applicant for reciprocity licensing who has been out of the active practice of pharmacy for between three and five years must take and pass the jurisprudence examination and additionally must either serve an internship of 300 hours or take and pass such additional practical examinations as may be specified by the board in each individual case.

(4) An applicant for reciprocity licensing who has been out of the active practice of pharmacy for over five years must take and pass the full board examination and serve an internship of 300 hours. [Statutory Authority: RCW 69.50.201. 79-04-048 (Order 147, Resolution 3-79), § 360-12-050, filed 3/27/79; Order 121, § 360-12-050, filed 8/8/74; Regulation 4, filed 3/23/60.]

WAC 360-12-065 Foreign-trained applicants. (1) Applicants whose academic training in pharmacy has been obtained from institutions in foreign countries who wish to register as pharmacists in the state of Washington shall complete such additional academic work, if necessary, so as to be qualified to receive a baccalaureate degree in pharmacy or doctor of pharmacy degree from an accredited college or school of pharmacy recognized by the state board of pharmacy.

(2) In addition, before registration can be extended to them, they shall pass successfully the Washington state board of pharmacy full board examination and meet its internship requirements.

(3) Applicants whose academic training in pharmacy has been obtained from institutions in foreign countries and whose credentials are such that no further education is necessary must earn a total of 1500 intern hours before licensure. The applicant must earn at least 1200 intern hours before taking the full board examination: *Provided*, That the board may, for good cause shown, waive up to 800 hours of the required 1500 hours. [Statutory Authority: RCW 69.50.201. 79-04-048 (Order 147, Resolution 3-79), § 360-12-065, filed 3/27/79; Order 122, § 360-12-065, filed 9/30/74.]

WAC 360-12-110 Licensed pharmacists change of home address. All licensed pharmacists shall notify the state board of pharmacy of any change of home address. [Statutory Authority: RCW 18.64.005(11). 79-10-007 (Order 151, Resolution 9/79), § 360-12-110, filed 9/6/79; Regulation 5, filed 3/23/60.]

WAC 360-12-120 Licensed pharmacists—Employed as responsible managers—Duty to notify board. Licensed pharmacists employed as responsible managers for a pharmacy shall at once notify the state board of pharmacy of such employment and shall comply with such instructions as may be received. A pharmacist shall also

at once notify the state board of pharmacy of termination of employment as a responsible manager. Please refer to WAC 360-16-050 for additional information. [Statutory Authority: RCW 18.64.005(11). 79-10-007 (Order 151, Resolution 9/79), § 360-12-120, filed 9/6/79; Regulation 8, filed 3/23/60.]

WAC 360-12-130 Registered pharmacists—Reinstatement. (1) A pharmacist who desires to reinstate his or her license after having been out of the active practice of pharmacy must meet the following requirements, as applicable, in addition to paying the fee required by RCW 18.64.140.

(a) If the pharmacist has been unlicensed for three years or less, he or she must take and pass the jurisprudence examination given by the board.

(b) If the pharmacist has been unlicensed for between three and five years, he or she must take and pass the jurisprudence examination given by the board and either serve an internship of 300 hours or take and pass such further written practical examinations as are specified by the board in each individual case.

(c) If the pharmacist has been unlicensed for over five years, he or she must take and pass the full board examination and serve an internship of 300 hours.

(2) A pharmacist desiring to reinstate his or her license must complete such continuing education credits as the board may specify in each individual case. [Statutory Authority: RCW 69.50.201. 79-04-048 (Order 147, Resolution 3-79), § 360-12-130, filed 3/27/79; Regulation 2, filed 3/23/60.]

Chapter 360-16 WAC PHARMACIES

WAC

360-16-050	Responsible manager—Appointment.
360-16-060	Repealed.
360-16-160	Repealed.
360-16-170	Drug vending machine[s] for over-the-counter drugs.
360-16-240	General.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

360-16-060 Responsible manager—Responsibility. [Regulation 7, filed 3/23/60.] Repealed by 79-10-007 (Order 151, Resolution 9/79), filed 9/6/79. Statutory Authority: RCW 18.64.005(11).

360-16-160 Sale of inhalers over the counter. [Regulation 13, filed 3/23/60.] Repealed by 79-10-007 (Order 151, Resolution 9/79), filed 9/6/79. Statutory Authority: RCW 18.64.005(11).

WAC 360-16-050 Responsible manager—Appointment. Every nonlicensed proprietor of one or more pharmacies shall place in charge of each pharmacy a licensed pharmacist who shall be known as the "responsible manager". The nonlicensed proprietor shall immediately report to the state board of pharmacy the name of the "responsible manager", who shall ensure that the pharmacy complies with all the laws, rules and regulations pertaining to the practice of pharmacy. Every portion of the establishment coming under the jurisdiction of the

pharmacy laws shall be under the full and complete control of such responsible manager. A now-licensed proprietor shall at once notify the board of pharmacy of the termination of employment of a responsible manager. Please refer to WAC 360-12-120 for additional information. [Statutory Authority: RCW 18.64.005(11). 79-10-007 (Order 151, Resolution 9/79), § 360-16-050, filed 9/6/79; Regulation 6, filed 3/23/60.]

WAC 360-16-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-16-160 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-16-170 Drug vending machine[s] for over-the-counter drugs. Over-the-counter drugs may be sold by the use of a mechanical device or vending machine. Any mechanical device or vending machine so used shall be licensed as a shopkeeper outlet pursuant to chapter 18.64 RCW. All over-the-counter drugs so sold shall be in the original manufacturer's package with complete labeling as required by federal law and 21 CFR which requirements are specifically incorporated herein by this reference. [Statutory Authority: RCW 18.64.005(11). 79-10-007 (Order 151, Resolution 9/79), § 360-16-170, filed 9/6/79; Regulation 17, filed 3/23/60.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 360-16-240 General. (1) A list of antidotes for poisoning shall be posted or otherwise readily available for reference. The telephone number of the nearest poison control center shall be readily available.

(2) The Washington state board of pharmacy shall set standards for the grading of pharmacies in the state of Washington. There shall be three classifications: A, 100-90; B, 89-80; and C, below 80. Each pharmacy being inspected shall receive either a Class A, Class B, or Class C certificate, depending on the extent of compliance with the set standards.

(3) Any pharmacy receiving a Class C rating will have 60 days to raise its standards to a Class B or better. If after 60 days the pharmacy has failed to raise its standards to a Class B or better, a hearing will be conducted to consider disciplinary action.

(4) Any pharmacy receiving two consecutive B grades will be subject to a hearing to consider disciplinary action.

(5) The certificate of inspection must be posted on the front of the prescription case in conspicuous view of the general public and shall not be removed or defaced.

(6) Forms and instructions for a self inspection program shall be mailed to all pharmacies. Up to five points may be granted on the inspection conducted by the investigator for pharmacy compliance with this program[.]

(7) Noncompliance with the provisions of RCW 18-64A.010 – 900 (Pharmacy Assistants) and WAC 360-52-010 – 100 (Pharmacy Assistants) shall result in an automatic "C" grade regardless of point score as found in (2) above. Refer to (3) above for specific information on "C" grades[.] [Statutory Authority: RCW 18.64.005(9) and 69.50.201. 79-02-060 (Order 146, Resolution 2-79), § 360-16-240, filed 2/1/79; Order 131, § 360-16-240, filed 2/4/77; Order 51 (part), filed 8/15/67.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 360-23 WAC PRESCRIPTION DRUG PRICE ADVERTISING

WAC
360-23-020 Drug price advertising conditions.

WAC 360-23-020 Drug price advertising conditions. A pharmacy may advertise legend or prescription drug prices provided:

(1) The advertising complies with all state and federal laws, including regulations of the United States food and drug administration and the Washington state consumer protection act, chapter 19.86 RCW.

(2) The advertising is solely directed towards providing consumers with drug price information and does not promote the use of a prescription drug or drugs to the public.

(3) The drug price advertising shall contain all the following information for all drug products or brand names used in the advertisement:

(a) The proprietary name of the drug product advertised, if any,

(b) The generic name of the drug product advertised, if any,

(c) The strength of the drug product advertised. If the drug product advertised contains more than one active ingredient and a relevant strength can be associated with it without indicating each active ingredient, the generic name and quantity of each active ingredient is not required.

(d) The dosage form of the drug product advertised, and

(e) The price charged for a specified quantity of the drug product.

(4) Advertising of any generic drug that in any way compares a generic drug to a brand name drug may not in any manner imply that the brand name drug is the product offered for sale. [Statutory Authority: RCW 18.64.005(11). 79-10-007 (Order 151, Resolution 9/79), § 360-23-020, filed 9/6/79; Order 124, § 360-23-020, filed 10/31/74; Order 120, § 360-23-020, filed 3/11/74.]

**Chapter 360-32 WAC
SALES REQUIRING PRESCRIPTIONS**

WAC

360-32-010	Repealed.
360-32-035	Repealed.
360-32-045	Repealed.
360-32-050	Identification of legend drugs for purposes of chapter 69.41 RCW.
360-32-055	Ephedrine prescription restrictions.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

360-32-010	Home fluoridation preparations. [Regulation 23, filed 3/23/60.] Repealed by 79-09-138 (Order 149, Resolution 9/79), filed 9/5/79. Statutory Authority: RCW 18.64.005(11).
360-32-035	Inhalers having directions to be sold under direction of a physician. [Regulation 13 (part), filed 3/23/60.] Repealed by 79-09-138 (Order 149, Resolution 9/79), filed 9/5/79. Statutory Authority: RCW 18.64.005(11).
360-32-045	Ephedrine prescription restrictions. [Order 132, § 360-32-045, filed 5/4/77; Order 128, § 360-32-045, filed 5/19/76.] Repealed by 79-09-138 (Order 149, Resolution 9/79), filed 9/5/79. Statutory Authority: RCW 18.64.005(11).

WAC 360-32-010 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-32-035 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-32-045 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-32-050 Identification of legend drugs for purposes of chapter 69.41 RCW. (1) In accordance with chapter 69.41 RCW, the board of pharmacy hereby finds that those drugs which have been determined by the food and drug administration, pursuant to the federal Food, Drug and Cosmetic Act, to require a prescription under federal law should also be classified as legend drugs under state law for the reasons that their toxicity or other potentiality for harmful effect, the methods of their use and the collateral safeguards necessary to their use, indicate that they are not safe for use except under the supervision of a practitioner.

(2) The board of pharmacy hereby specifically identifies as legend drugs, for purposes of chapter 69.41 RCW, those drugs which have been designated as legend drugs under federal law and are listed as such in the 1979 edition of the American Druggist Blue Book. Copies of the list of legend drugs as contained in the American Druggist Blue Book shall be available for public inspection at the headquarters office of the state board of pharmacy, 319 East 7th Avenue, Olympia, Washington 98504. Copies of this list shall be available from the board of pharmacy at the above address upon request made and upon payment of a fee in the amount of \$10 per copy. [Statutory Authority: 1979 1st ex.s.c 139. 79-09-138 (Order 149, Resolution 9/79), § 360-32-050, filed 9/5/79.]

WAC 360-32-055 Ephedrine prescription restrictions. (1) No person shall prepare, compound, dispense, sell, give away, barter, or otherwise distribute ephedrine, or any of its salts in a solid or aqueous form normally intended for oral administration, in any quantity, except as stated in subsections (2) and (3) of this regulation or as provided in RCW 69.41.030.

(2) Preparation or distribution of the drugs in subsection (1) shall be:

(a) Upon a written prescription of a licensed medical practitioner;

(b) Upon an oral prescription of a licensed medical practitioner which is reduced promptly to writing and filed by the pharmacist; or

(c) By refilling the written or oral prescription if such refilling is authorized by the licensed medical practitioner either in the original prescription or by oral order which is reduced promptly to writing and shall include the date of the refill authorization, the initials of the pharmacist receiving the authorization and the filing by the pharmacist.

(3) The following products containing ephedrine or its stereoisomers are exempted from the provisions of this regulation:

1. AMORDRINE tablet (Searle)	25mg (as racemic hydrochloride)
2. BRONITIN tablet (Whitehall)	24mg ephedrine
3. BRONKAID tablet (Breon)	24mg (as sulfate)
4. BRONKOTABS tablet (Breon)	24mg (as sulfate)
5. CALCIDRINE SYRUP (Abbott)	4.2mg/5cc Hcl
6. CHLOR-TRIMENTON DECONGESTANT (Schering)	60mg ephedrine
7. CODIMAL tablet – capsule (Central Pharmacal)	pseudoephedrine hydrochloride, 30mg
8. CO-TYLENOL COLD FORMULA FOR CHILDREN (McNeil)	pseudoephedrine hydrochloride, 7.5mg/5 ml
9. D-FEDA (Dooner)	pseudoephedrine hydrochloride, 30mg/5 ml
10. DIMOCOL LIQUID and CAPSULES (Robins)	psuedoephedrine hydrochloride, 30mg/5 ml or capsules
11. FEDAHIST tablet – syrup (Dooner)	psuedoephedrine hydrochloride, 60mg/tablet 30mg/5 ml
12. FEDAHIST EXPECTORANT (Dooner)	psuedoephedrine hydrochloride, 30mg/5 ml
13. FEDRAZIL tablet (Burroughs Wellcome)	pseudoephedrine hydrochloride, 30mg
14. HISTADYL EC (Lilly)	ephedrine hydrochloride, 30mg/30 ml
15. HISTIVITE-D (Vitarine)	ephedrine sulfate, 30mg/30 ml
16. NALDEGESIC tablet (Bristol)	pseudoephedrine, 15mg
17. NOVAFED syrup (Dow)	pseudoephedrine hydrochloride, 30mg/5 ml
18. NOVAFED A (Dow)	pseudophedrine hydrochloride, 30mg/5 ml
19. NOVAHISTINE DMX (Dow)	pseudophedrine hydrochloride, 30mg/5 ml

20. NYQUIL (Vicks)	ephedrine sulfate, 8mg/30 ml
21. PRIMATINE M tablet (Whitehall)	24mg (as hydrochloride)
22. QUELDRINE (Abbott)	ephedrine hydrochloride, 5mg/5 ml
23. QUIET-NITE (Rexall)	ephedrine sulfate, 10mg/30 ml
24. ROBITUSSION-PE (Robins)	pseudoephedrine hydrochloride, 30mg/5 ml
25. SINACET tablet (Meyer)	pseudophedrine hydrochloride, 15mg
26. SUDAFED tablet - syrup (Burroughs Wellcome)	psuedoephedrine hydrochloride, 30mg and 60mg tablets or 5 ml (30mg/ml)
27. VERAQUAD tablet - suspension (Knoll)	24mg tablet, 12mg/5 ml (as hydrochloride)

[Statutory Authority: 1979 1st ex. s. c 139. 79-09-138 (Order 149, Resolution 9/79), § 360-32-055, filed 9/5/79.]

Chapter 360-36 WAC

REGULATIONS IMPLEMENTING THE UNIFORM CONTROLLED SUBSTANCES ACT

WAC

360-36-010	Uniform Controlled Substances Act.
360-36-110	Additional schedule II substances.
360-36-115	Designation of nonnarcotic stimulant drugs for purposes of RCW 69.50.402(a)(3).
360-36-120	Additional schedule III substances.
360-36-130	Additional schedule IV substances.
360-36-140	Additional schedule V substances.
360-36-150	Repealed.
360-36-160	Repealed.
360-36-170	Repealed.
360-36-220	Product restrictions.
360-36-230	Registration.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

360-36-150	Rescheduled substances. [Order 142, § 360-36-150, filed 12/9/77.] Repealed by 79-02-060 (Order 146, Resolution 2-79), filed 2/1/79. Statutory Authority: RCW 18.64.005(9) and 69.50.201.
360-36-160	Placement of phencyclidine in Schedule II. [Statutory Authority: RCW 69.50.201. 78-05-048 (Order 144, Resolution 12-78), § 360-36-160, filed 4/24/78.] Repealed by 79-02-060 (Order 146, Resolution 2-79), filed 2/1/79. Statutory Authority: RCW 18.64.005(9) and 69.50.201.
360-36-170	Placement of lorazepam in Schedule IV. [Statutory Authority: RCW 69.50.201. 78-05-048 (Order 144, Resolution 12-78), § 360-36-170, filed 4/24/78.] Repealed by 79-02-060 (Order 146, Resolution 2-79), filed 2/1/79. Statutory Authority: RCW 18.64.005(9) and 69.50.201.

WAC 360-36-010 Uniform Controlled Substances Act. (1) Consistent with the concept of uniformity where possible with the federal regulations for controlled substances (21 CFR), the federal regulations are specifically made applicable to registrants in this state by virtue of RCW 69.50.306. Although those regulations

are automatically applicable to registrants in this state, the board is nevertheless adopting as its own regulations the existing regulations of the federal government published in the code of federal regulations revised as of April 1, 1979, and all references made therein to the director or the secretary shall have reference to the board of pharmacy, and the following sections are not applicable: section 1301.11-13, section 1301.31, section 1301.43-57, section 1303, section 1308.41-48, and section 1316.31-67. The following specific rules shall take precedence over the federal rules adopted herein by reference, and therefore any inconsistencies shall be resolved in favor of the following specific rules.

(2) Registrations under chapter 69.50 RCW shall be for an annual period with the registration period ending on a date to coincide with those license renewal dates as found in rules promulgated under chapter 18.64 RCW. The registration fee shall be as follows:

- (a) \$15.00 for a dispensing registration (i.e., pharmacies);
- (b) \$10.00 for the annual renewal for dispensing (i.e., pharmacies);
- (c) \$30.00 for registration for distributors (i.e., wholesalers);
- (d) \$25.00 for the annual renewal for distributors (i.e., wholesalers);
- (e) \$50.00 for a registration for manufacturers;
- (f) \$50.00 for the annual renewal for manufacturers;
- (g) \$15.00 for application for physician's assistant;
- (h) \$10.00 for the annual renewal for physician's assistant[''][;]
- (i) \$15.00 for application for limited registration to obtain sodium pentobarbital for animal euthanasia;
- (j) \$10.00 for annual renewal of limited sodium pentobarbital registration.

(3) A separate registration is required for each principle place of business (as defined in section 1301.23) where controlled substances are manufactured, distributed or dispensed. Application for registration must be made on forms supplied by the pharmacy board, and all information called for thereon must be supplied unless the information is not applicable, in which case it must be indicated. An applicant for registration must hold the appropriate wholesaler, manufacturer or pharmacy license provided for in chapter 18.64 RCW.

(4) Every registrant shall be required to keep inventory records required by section 1304.04 (of the federal rules which have been adopted by reference by Rule 1) and must maintain said inventory records for a period of five years from the date of inventory. Such registrants are further required to keep a record of receipt and distribution of controlled substances. Such record shall include:

- (a) Invoices, orders, receipts, etc. showing the date, supplier and quantity of drug received, and the name of the drug;
- (b) Distribution records; i.e., invoices, etc. from wholesalers and manufacturers and prescriptions records for dispensers;
- (c) In the event of a loss by theft or destruction, two copies of DEA 106 (report of theft or loss of controlled

substances) must be transmitted to the federal authorities and a copy must be sent to the board;

(d) For transfers of controlled substances from one dispenser to another, a record of the transfer must be made at the time of transfer indicating the drug, quantity, date of transfer, who it was transferred to and from whom. Said record must be retained by both the transferee and the transferor. These transfers can only be made in emergencies pursuant to section 1307.11 (federal rules).

(5) The records must be maintained separately for schedule II drugs. The records for schedule III, IV and V drugs may be maintained either separately or in a form that is readily retrievable from the business records of the registrant. Prescription records will be deemed readily retrievable if the prescription has been stamped in red ink in the lower right hand corner with the letter "C" no less than one inch high, and said prescriptions are filed in a consecutively numbered prescription file which includes prescription and noncontrolled substances.

(6) A federal order form is required for each distribution of a schedule I or II controlled substance, and said forms along with other records required to be kept must be made readily available to authorized employees of the board.

(7) Schedule II drugs require that a dispenser have a signed prescription in his possession prior to dispensing said drugs. An exception is permitted in an "emergency." An emergency exists when the immediate administration of the drug is necessary for proper treatment and no alternative treatment is available, and further, it is not possible for the physician to provide a written prescription for the drug at that time. If a schedule II drug is dispensed in an emergency, the practitioner must deliver a signed prescription to the dispenser within 72 hours, and further he must note on the prescription that it was filled on an emergency basis. [Statutory Authority: RCW 69.50.301. 79-10-007 (Order 151, Resolution 9/79), § 360-36-010, filed 9/6/79. Statutory Authority: RCW 69.50.301 and chapter 69.50 RCW. 78-02-070 (Order 140), § 360-36-010, filed 1/25/78; Order 132, § 360-36-010, filed 5/4/77; Order 108, § 360-36-010, filed 10/26/71.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 360-36-110 Additional schedule II substances. The board finds that the following substances meet the schedule II tests and are hereby placed in schedule II in addition to those set forth in chapter 69.50 RCW. The placement in schedule II includes any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers and salts of isomers, unless specifically excepted, wherever the existence of these salts, isomers and salts of isomers is possible within the specific designation:

(1) Methaqualone

- (2) Concentrate of poppy straw
- (3) Etorphine Hydrochloride
- (4) Amphetamine
- (5) Methamphetamine
- (6) Fetamin
- (7) Biphetamine
- (8) Biphetamine-T
- (9) Eskatrol
- (10) Methylphenidate
- (11) Phenmetrazine
- (12) Amobarbital
- (13) Pentobarbital
- (14) Secobarbital
- (15) Phencyclidine
- (16) 1-Phenylcyclohexylamine
- (17) 1-Piperidinocyclohexanecarbonitrile. [Statutory Authority: RCW 18.64.005(9) and 69.50.201. 79-02-060 (Order 146, Resolution 2-79), § 360-36-110, filed 2/1/79; Order 142, § 360-36-110, filed 12/9/77.]

WAC 360-36-115 Designation of nonnarcotic stimulant drugs for purposes of RCW 69.50.402(a)(3). The board of pharmacy hereby designates, the following schedule II controlled substances as nonnarcotic stimulants for purposes of RCW 69.50.402(a)(3):

- (1) Amphetamine sulfate in any of its generic forms and under the following brand names:
 - (a) Benzedrine (SKF);
 - (b) Benzedrine spansules (SKF);
- (2) Dextroamphetamine sulfate in any of its generic forms and under the following brand names:
 - (a) Dexampex (lemon);
 - (b) Dexedrine (SKF);
 - (c) Ferndex (ferndale);
 - (d) Dexedrine spansules (SKF);
 - (e) Diphylets (tutag).
- (3) Dextroamphetamine HCL in any of its generic forms and under the following brand names:
 - (a) Daro (fellows).
- (4) Dextroamphetamine tannate in any of its generic forms and under the following brand names:
 - (a) Obotan (mallinckrodt);
 - (b) Obotan forte (mallinckrodt).
- (5) Methamphetamine HCL (desoxyephedrine HCL) in any of its generic forms and under the following brand names:
 - (a) Desoxyn (abbott);
 - (b) Dexampex (lemon);
 - (c) Obedrin-LA (beecham labs.).
- (6) Amphetamine complex in any of its generic forms and under the following brand names:
 - (a) Biphetamine 7 1/2 (pennwalt);
 - (b) Biphetamine 12 1/2 (pennwalt);
 - (c) Biphetamine 20 (pennwalt).
- (7) Combined amphetamines sold under the following brand names:
 - (a) Amphalex-10 and 20 (palmedico);
 - (b) Obetrol-10 and 20 (obetrol);
 - (c) Delcobese-5, 10, 15, and 20mg. (delco);
 - (d) Dexamyl (SKF);
 - (e) Eskatrol (SKF).

(8) Phenmetrazine HCL in any of its generic forms and under the following brand name:

(a) Preludin (boehringer-ingelheim).

(9) Methylphenidate HCL in any of its generic forms and under the following brand name:

(a) Ritalin (ciba). [Statutory Authority: RCW 69.50-.201. 79-08-069 (Order 148, Resolution 7-79), § 360-36-115, filed 7/24/79.]

WAC 360-36-120 Additional schedule III substances. The board finds that the following substances meet the schedule III tests and are hereby placed in schedule III in addition to those set forth in chapter 69-.50 RCW. The placement in schedule III includes any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers and salts of isomers, unless specifically excepted, wherever the existence of these salts, isomers and salts of isomers is possible within the specific designation:

- (1) Benzphetamine
- (2) Chlorphentermine
- (3) Phendimetrazine
- (4) Mazindol
- (5) Clortemine

(6) Those compounds, mixtures or preparations in dosage unit form containing any stimulant substances listed in schedule II which compounds, mixtures or preparations are referred to in schedule III as published in 21 CFR #1308.13 as of April 1, 1977. [Statutory Authority: RCW 18.64.005(9) and 69.50.201. 79-02-060 (Order 146, Resolution 2-79), § 360-36-120, filed 2/1/79; Order 142, § 360-36-120, filed 12/9/77.]

WAC 360-36-130 Additional schedule IV substances. The board finds that the following substances meet the schedule IV tests and are hereby placed in schedule IV in addition to those set forth in chapter 69-.50 RCW. The placement in schedule IV includes any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers and salts of isomers, unless specifically excepted, wherever the existence of these salts, isomers and salts of isomers is possible within the specific designation:

- (1) Fenfluramine
- (2) Diethylpropion
- (3) Phentermine
- (4) Pemoline
- (5) Mebutamate
- (6) Chlordiazepoxide (Librium)
- (7) Diazepam (Valium)
- (8) Oxazepam (Serax)
- (9) Chlorazepate (Tranxene)
- (10) Flurazepam (Dalmane)
- (11) Clonazepam (Clonopin)
- (12) Prazepam (Verstran)
- (13) Dextropropoxyphene (Darvon).
- (14) Lorazepam (Ativan)

(15) Not more than 1 milligram Difenoxin in combination with not less than 25 micrograms of Atropine Sulfate per dosage unit (Motofen).

(16) Pentazocine [Statutory Authority: RCW 69.50-.201. 79-04-048 (Order 147, Resolution 3-79), § 360-36-130, filed 3/27/79. Statutory Authority: RCW 18.64.005(9) and 69.50.201. 79-02-060 (Order 146, Resolution 2-79), § 360-36-130, filed 2/1/79; Order 142, § 360-36-130, filed 12/9/77.]

WAC 360-36-140 Additional schedule V substances. The board finds that the following substances meet the schedule V tests and are hereby placed in schedule V in addition to those set forth in chapter 69.50 RCW. The placement in schedule V includes any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers and salts of isomers, unless specifically excepted, wherever the existence of these salts, isomers and salts of isomers is possible within the specific designation:

- (1) Loperamide (Imodium)
- (2) Not more than .5 milligram Difenoxin in combination with not less than 25 micrograms of Atropine Sulfate per dosage unit (Motofen Half-Strength). [Statutory Authority: RCW 18.64.005(9) and 69.50-.201. 79-02-060 (Order 146, Resolution 2-79), § 360-36-140, filed 2/1/79; Order 142, § 360-36-140, filed 12/9/77.]

WAC 360-36-150 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-36-160 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-36-170 Repealed. See Disposition Table at beginning of this chapter.

WAC 360-36-220 Product restrictions. Sodium pentobarbital obtained under this limited registration shall be labeled "For veterinary use only". The board will make available a list of approved products. [Statutory Authority: RCW 18.64.005(11) and 69.50.301. 79-10-006 (Order 150, Resolution 9/79), § 360-36-220, filed 9/6/79; Order 138, § 360-36-220, filed 11/8/77.]

WAC 360-36-230 Registration. (1) Registrations under chapter 69.50 RCW shall be for an annual period with the registration period ending on October 31st of each year. The registration fee shall be as follows:

- (a) \$15.00 for application for limited registration.
- (b) \$10.00 for annual renewal of limited registration.
- (2) A separate registration is required for each separate location.

(3) Registration with the drug enforcement administration shall be limited to schedule II nonnarcotic controlled substances and shall be used only for the acquisition of sodium pentobarbital for animal euthanasia. [Statutory Authority: RCW 18.64.005(11) and 69-.50.301. 79-10-006 (Order 150, Resolution 9/79), § 360-36-230, filed 9/6/79; Order 138, § 360-36-230, filed 11/8/77.]

Chapter 360-49 WAC DRUG PRODUCT SUBSTITUTION

WAC

- 360-49-010 Dispensing responsibilities.
 360-49-020 Product selection responsibilities.
 360-49-030 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 360-49-030 Manufacturer requirements. [Order 143, § 360-49-030, filed 12/9/77.] Repealed by 79-12-063 (Order 152), filed 11/29/79. Statutory Authority: RCW 69.41.180.

WAC 360-49-010 Dispensing responsibilities. When the pharmacist dispenses, with the practitioner's authorization, a therapeutically equivalent drug product, the following information shall be noted:

(a) On oral prescriptions, the pharmacist shall indicate on the permanent prescription record, if substitution is permitted.

(b) The manufacturer or distributor of the drug product actually dispensed or its national drug code number or short name code or trade name shall be noted on the permanent record, or on the patient medication record if this document is utilized for providing and recording refills. This requirement shall also apply to refill prescriptions when a different distributor or manufacturer's product is used.

(c) The generic or trade name of the drug actually dispensed shall be noted on the prescription label or package label. For combination drug products, the generic names of the drugs combined or the trade name of the manufacturer or distributor shall be noted on the prescription label. For prescriptions compounded with multiple ingredients, the label designation will be left to the discretion of the pharmacist.

(d) For institutionalized and closed system patients, the pharmacist may identify the manufacturer or distributor of the product actually dispensed through pharmacy purchasing records or packaging records, and a published formulary designation may be used on the label. [Statutory Authority: RCW 69.41.180. 79-12-063 (Order 152), § 360-49-010, filed 11/29/79; Order 143, § 360-49-010, filed 12/9/77.]

WAC 360-49-020 Product selection responsibilities.

(1) The determination of the drug product to be dispensed on a prescription is a professional responsibility of the pharmacist, and the pharmacist shall not dispense any product that in his/her professional opinion does not meet adequate standards.

(2) Pharmacists may utilize as the basis for their decisions on therapeutically equivalent drug products:

(a) available drug product information from federal and state agencies, official compendia, and drug manufacturers, or

(b) other scientific or professional resources, or
 (c) the federal food and drug administration "Approved Drug Products" as a board approved reference for a positive formulary of therapeutically equivalent products within the limitations stipulated in that publication.

(3) Those pharmacies that fill prescriptions based on prior authorization for therapeutically equivalent drug substitution must have available for inspection and review such authorization documentation in the institutional records or in the pharmacy. [Statutory Authority: RCW 69.41.180. 79-12-063 (Order 152), § 360-49-020, filed 11/29/79; Order 143, § 360-49-020, filed 12/9/77.]

WAC 360-49-030 Repealed. See Disposition Table at beginning of this chapter.

Chapter 360-52 WAC PHARMACY ASSISTANT

WAC

- 360-52-060 Level B pharmacy assistants utilization.

WAC 360-52-060 Level B pharmacy assistants utilization. (1) Level B pharmacy assistants may perform, under the general supervision of a licensed pharmacist, duties including but not limited to typing of prescription labels, filing, refiling, bookkeeping, pricing or determination of cost or charge, stocking, delivery, nonprofessional phone inquiries, and documentation of third party reimbursements.

(2) The term "nonprofessional phone inquiry" as used in subsection 1 shall include only those phone inquiries which are not related to any aspect of the "practice of pharmacy" as that term is defined in RCW 18.64.011(11). [Statutory Authority: RCW 69.50.201. 79-04-048 (Order 147, Resolution 3-79), § 360-52-060, filed 3/27/79; Order 141, § 360-52-060, filed 12/9/77.]

Chapter 360-54 WAC NUCLEAR PHARMACIES AND PHARMACISTS

WAC

- 360-54-010 Purpose and scope.
 360-54-020 Definitions.
 360-54-030 Nuclear pharmacies.
 360-54-040 Nuclear pharmacists.
 360-54-050 Minimum equipment requirements.

WAC 360-54-010 Purpose and scope. (1) No person may lawfully provide radiopharmaceutical services unless he or she is a nuclear pharmacist, or is performing radiopharmaceutical services under the supervision of a nuclear pharmacist, and is acting in accordance with the state board of pharmacy and state radiation control agency regulations.

(2) These regulations shall not apply to anyone who is an "authorized practitioner" as that term is defined in section 2 of these regulations.

(3) The requirements imposed by these nuclear pharmacy regulations shall apply in addition to, and not in place of, any other requirements contained in regulations of the state board of pharmacy, the state radiation control agency, or any other state or federal agency. [Statutory Authority: RCW 18.64.005(9). 79-02-061 (Order 145, Resolution 1-79), § 360-54-010, filed 2/1/79.]

WAC 360-54-020 Definitions. (1) A "nuclear pharmacy" is a class A pharmacy providing radiopharmaceutical services.

(2) "Nuclear pharmacist" means a licensed pharmacist who has submitted evidence to the board of pharmacy that he or she meets the requirements of WAC 360-54-040 of these regulations regarding training, education, and experience, and who has received notification by letter from the board of pharmacy that, based on the evidence submitted, he or she is recognized by the board of pharmacy as qualified to provide radiopharmaceutical services.

(3) "Radiopharmaceutical service" shall mean, but shall not be limited to, the compounding, dispensing, labeling and delivery of radiopharmaceuticals; the participation in radiopharmaceutical selection and radiopharmaceutical utilization reviews; the proper and safe storage and distribution of radiopharmaceuticals; the maintenance of radiopharmaceutical quality assurance; the responsibility for advising, where necessary or where regulated, of therapeutic values, hazards and use of radiopharmaceuticals; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation management and control of a nuclear pharmacy.

(4) A "radiopharmaceutical" is any substance defined as a drug in section 201(g)(1) of the federal food, drug and cosmetic act which exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any such drug which is intended to be made radioactive. This definition includes nonradioactive reagent kits and nuclide generators which are intended to be used in the preparation of any such substance but does not include drugs such as carbon-containing compounds or potassium-containing compounds or potassium-containing salts which contain trace quantities of naturally occurring radionuclides.

(5) "Radiopharmaceutical quality assurance" means, but is not limited to, the performance of appropriate chemical, biological and physical tests on radiopharmaceuticals and the interpretation of the resulting data to determine their suitability for use in humans and animals, including internal test assessment authentication of product history and the keeping of proper records.

(6) "Internal test assessment" means, but is not limited to, conducting those tests of quality assurance necessary to insure the integrity of the test.

(7) "Authentication of product history" means, but is not limited to, identifying the purchasing source, the ultimate fate, and intermediate handling of any component of a radiopharmaceutical.

(8) "Authorized practitioner" means a practitioner duly authorized by law to possess, use, and administer

radiopharmaceuticals. [Statutory Authority: RCW 18.64.005(9). 79-02-061 (Order 145, Resolution 1-79), § 360-54-020, filed 2/1/79.]

WAC 360-54-030 Nuclear pharmacies. (1) A permit to operate a nuclear pharmacy providing radiopharmaceutical services shall only be issued to a qualified nuclear pharmacist. All personnel performing tasks in the preparation and distribution of radiopharmaceuticals shall be under the supervision of a nuclear pharmacist. The nuclear pharmacist shall be responsible for all operations of the licensed area. In emergency situations, in the nuclear pharmacist's absence, he or she may designate one or more qualified, registered or certified health care personnel to have access to the licensed area. These individuals may obtain radiopharmaceuticals for the immediate emergency and must document such withdrawals in the control system.

(2) Nuclear pharmacies shall have adequate space, commensurate with the scope of services to be provided. The nuclear pharmacy area shall be separate from the pharmacy areas for nonradiopharmaceuticals and shall be secured from access by unauthorized personnel. A nuclear pharmacy handling radiopharmaceuticals exclusively may be exempted from the general space requirements for pharmacies by obtaining a waiver from the state board of pharmacy. Detailed floor plans shall be submitted to the state board of pharmacy and the state radiation control agency before approval of the license.

(3) Nuclear pharmacies shall only dispense radiopharmaceuticals which comply with accepted professional standards of radiopharmaceutical quality assurance.

(4) Nuclear pharmacies shall maintain records of acquisition and disposition of all radiopharmaceuticals in accordance with applicable regulations of the state board of pharmacy, the state radiation control agency and other state and federal agencies.

(5) For nuclear pharmacies handling radiopharmaceuticals exclusively, the state board of pharmacy may waive regulations pertaining to the pharmacy permits for nonradiopharmaceuticals for requirements that do not pertain to the practice of nuclear pharmacy.

(6) Radiopharmaceuticals are to be dispensed only upon a prescription from a practitioner authorized to possess, use and administer radiopharmaceuticals. A nuclear pharmacy may also furnish radiopharmaceuticals for office use to these practitioners.

(7) A nuclear pharmacist may transfer to authorized persons radioactive materials not intended for drug use, in accordance with regulations of the state radiation control agency.

(8) In addition to any labeling requirements of the state board of pharmacy for nonradiopharmaceuticals, the immediate outer container of the radiopharmaceutical to be dispensed shall also be labeled with: 1) standard radiation symbol; 2) the words "caution—radioactive material"; 3) the name of the radiopharmaceutical; 4) the amount of radioactive material contained, in milli-curies or microcuries; 5) if a liquid, the volume in milliliters; 6) the requested calibration time for the amount

of radioactivity contained; 7) expiration data, if applicable; and 8) specific concentration of radioactivity.

(9) The immediate container shall be labeled with: 1) the standard radiation symbol; 2) the words "caution-radioactive material"; 3) the name of the nuclear pharmacy; 4) the prescription number; 5) the name of the radiopharmaceutical; (6) the date; and (7) the amount of radioactive material contained in millicuries or microcuries.

(10) The amount of radioactivity shall be determined by radiometric methods for each individual preparation immediately prior to dispensing.

(11) Nuclear pharmacies may redistribute NDA approved radiopharmaceuticals if the pharmacy does not process the radiopharmaceuticals in any manner or violate the product packaging.

(12) The nuclear pharmacy shall have the current revisions of state laws and regulations of the state board of pharmacy and state radiation control agency.

(13) The nuclear pharmacy shall maintain a library commensurate with the level of radiopharmaceutical service to be provided. A detailed library listing shall be submitted to the state board of pharmacy and state radiation control agency before approval of the license. [Statutory Authority: RCW 18.64.005(9). 79-02-061 (Order 145, Resolution 1-79), § 360-54-030, filed 2/1/79.]

WAC 360-54-040 Nuclear pharmacists. In order for a pharmacist to qualify under these regulations as a nuclear pharmacist, he or she must:

(1) meet minimal standards of training and experience in the handling of radioactive materials in accordance with the requirements of the state radiation control agency; and,

(2) be a pharmacist licensed to practice in Washington; and,

(3) submit to the board of pharmacy either:

(a) certification that he or she has completed a minimum of 6 months on-the-job training under the supervision of a qualified nuclear pharmacist in a nuclear pharmacy providing radiopharmaceutical services, or

(b) certification that he or she has completed a nuclear pharmacy training program in an accredited college of pharmacy or

(c) that upon application to the board in affidavit form, and upon the furnishing of such other information as the board may require, the board may grant partial or equivalent credit for education and experience gained in programs not sponsored by an accredited college of pharmacy, if, in the opinion of the board, the education and experience gained by participants in these programs would provide the same level of competence as participation in a program at an accredited college of pharmacy; and

(4) receive a letter of notification from the board of pharmacy that the evidence submitted that the pharmacist meets the requirements of subsections 1, 2, and 3 above has been accepted by the board and that, based thereon, the pharmacist is recognized by the board as a nuclear pharmacist. [Statutory Authority: RCW

18.64.005(9). 79-02-061 (Order 145, Resolution 1-79), § 360-54-040, filed 2/1/79.]

WAC 360-54-050 Minimum equipment requirements. (1) Nuclear pharmacies shall have adequate equipment commensurate with the scope of radiopharmaceutical services to be provided. A detailed list of equipment and description of use must be submitted to the state board of pharmacy and radiation control agency before approval of the license.

(2) The state board of pharmacy may, for good cause shown, waive regulations pertaining to the equipment and supplies required for nuclear pharmacies handling radiopharmaceuticals exclusively. [Statutory Authority: RCW 18.64.005(9). 79-02-061 (Order 145, Resolution 1-79), § 360-54-050, filed 2/1/79.]

Title 365 WAC PLANNING AND COMMUNITY AFFAIRS AGENCY

Chapters

365-26	Regulations regarding advanced financial support payments for the development of comprehensive transit plans.
365-40	Rules and regulations regarding state funding of local head start programs.
365-41	Regulations regarding advanced financial support payments for the conduct of public transportation feasibility studies.
365-43	Regulations regarding pass-through of U.S. Urban Mass Transportation Administration funds for public transportation technical studies.
365-50	Criminal records.
365-55	Washington state weatherization assistance program for low-income persons.
365-60	Rules and regulations regarding state administration of the local Section 8 housing assistance payments program.

Chapter 365-26 WAC REGULATIONS REGARDING ADVANCED FINANCIAL SUPPORT PAYMENTS FOR THE DEVELOPMENT OF COMPREHENSIVE TRANSIT PLANS

WAC

365-26-010 through 365-26-310 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

365-26-010	General purpose and applicability. [Order 75-5, § 365-26-010, filed 12/31/75, 4:25 p.m.] Repealed by 80-01-030 (Order 43), filed 12/17/79. Statutory Authority: RCW 47.01.101 and 47.01.121.
365-26-015	Definitions. [Order 75-5, § 365-26-015, filed 12/31/75, 4:25 p.m.] Repealed by 80-01-030 (Order